

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

ANTONE SILVA,

Plaintiff,

V.

C.A. No.: 1:19-cv-00429-WES-LDA

STATE OF RHODE ISLAND, TOWN OF

TIVERTON, PATRICK W. JONES,

Individually and as Chief of Police for the

Tiverton Police Department, SERGEANT

MICHAEL BARBOZA, Town of Tiverton

Police Officer, Individually and in his

official capacity,

Defendants.

**DEFENDANT, STATE OF RHODE ISLAND’S OMNIBUS REPLY TO PLAINTIFF,
ANTONE SILVA’S OBJECTION TO ITS MOTION TO DISMISS AND RESPONSE TO
PLAINTIFF’S MOTION TO AMEND COMPLAINT**

NOW COMES, the Defendant, State of Rhode Island (“State”), and hereby files the following Omnibus Reply to Plaintiff, Antone Silva’s (“Plaintiff”) Objection to its Motion to Dismiss, as well as its Response to Plaintiff’s Motion to Amend Complaint.

The State avers that, due to differing response deadlines for the two (2) currently pending motions before this Honorable Court, it previously filed a Motion to Enlarge Time to have the same deadline day to file a response for both motions, which this Honorable Court granted. After consideration of the Plaintiff's Objection to the State's Motion to Dismiss, as well as the Plaintiff's contemporaneous filing of a Motion to Amend Complaint, with the proposed Amended Complaint attached thereto, the State hereby avers that it has no objection to the same.

WHEREFORE, the Defendant, State of Rhode Island, respectfully states that it has no objection to the Plaintiff's Motion to Amend Complaint, or the proposed Amended Complaint attached thereto.

Respectfully Submitted,
Defendant,

STATE OF RHODE ISLAND

BY:

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Alexander D. Schultheis

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LOCAL RULE 7(c) CERTIFICATION

Pursuant to Local Rule 7(c) of the United States District Court for the District of Rhode Island, the Defendant, State of Rhode Island does not request oral argument on the Plaintiff's Motion to Amend Complaint, but will defer to this Honorable Court as to whether this matter shall be called for hearing.

/s/ Alexander D. Schultheis

CERTIFICATE OF SERVICE

I hereby certify that on this the 12th day of September, 2019, I caused a copy of the within OMNIBUS REPLY TO PLAINTIFF'S OBJECTION TO ITS MOTION TO DISMISS AND OBJECTION AND RESPONSE TO PLAINTIFF'S MOTION TO AMEND COMPLAINT to be electronically filed and served through the CM/ECF filing system, which is available for electronic downloading and viewing, on all attorneys of record, who are as follows:

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